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OTTO TRUCKING, LLC
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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 WAYMO LLC,

16 Plaintiff,

17 v.

18 UBER TECHNOLOGIES, INC., *et al.*,

19 Defendants.
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Case No.: 3:17-cv-00939-WHA

**DEFENDANT OTTO TRUCKING LLC'S
NOTICE TO JOIN AND ADOPT
DEFENDANTS UBER TECHNOLOGIES,
INC.'S AND OTTOMOTTO LLC'S
PARTIAL OPPOSITION TO PLAINTIFF'S
MOTION TO MODIFY THE COURT'S
MAY 19 ORDER**

Complaint Filed: February 23, 2017
Trial Date: October 2, 2017

1 TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT Defendant Otto Trucking LLC (“Otto Trucking”) hereby
3 joins and adopts Defendants Uber Technologies, Inc.’s (“Uber”) and Ottomotto LLC’s (“Ottomotto”)
4 Partial Opposition to Plaintiff’s Motion to Modify the Court’s May 19 Order (the “Partial
5 Opposition”). (See Dkt. No. 494.) There is no hearing set for Waymo’s motion before the Honorable
6 William Alsup. In support, Otto Trucking states as follows:

- 7 1. On May 18, 2017, non-party Anthony Levandowski filed his motion to intervene for
8 the purpose of requesting a modification of the Court’s May 11, 2017 preliminary
9 injunction order (Dkt. No. 433).
- 10 2. On May 19, 2017, the Court extended the deadline for complying with Paragraph 2 of
11 the preliminary injunction order from May 31, 2017 to June 23, 2017 (Dkt. No. 471).
- 12 3. On May 22, 2017, Waymo filed a Motion to Modify the Court’s May 19 Order (the
13 “Motion”), asking the Court to revert the deadline back to May 31, 2017 as to certain
14 parts of Paragraph 2 of the preliminary injunction Order (Dkt. No. 485).
- 15 4. On May 22, 2017, the Court ordered Defendants to respond to the Motion by May 23,
16 2017 (Dkt. No. 487).
- 17 5. On May 23, 2017, Co-Defendants Uber and Ottomotto filed their Partial Opposition to
18 the Motion (Dkt. No. 494).
- 19 6. Otto Trucking joins and adopts, as if set out verbatim herein, the arguments,
20 authorities, and contentions of Co-Defendants Uber and Ottomotto as set forth in their
21 Partial Opposition for the reason that said Partial Opposition is equally applicable to
22 this Defendant in the above-captioned matter.
- 23 7. Otto Trucking joins and adopts Co-Defendants’ Partial Opposition in order to best
24 serve justice and avoid unnecessary or duplicative effort, time, or expense to the parties
25 involved.

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1 WHEREFORE, Defendant Otto Trucking LLC hereby joins and adopts Co-Defendants'
2 Partial Opposition to Plaintiff's Motion to Modify the Court's May 19 Order.

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5 Dated: May 23, 2017

Respectfully submitted,

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7 By: /s/ Neel Chatterjee

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Attorneys for Defendant
OTTO TRUCKING, LLC

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **May 23, 2017**. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct.

Executed **May 23, 2017**.

/s/ Neel Chatterjee
NEEL CHATTERJEE